

THE DISTRICT COURT OF GUAM

JOSEPH A. STANFORD and SOFTWHO,

CIVIL CASE NO. 22-00015

Plaintiffs,

vs.

ORDER

MICROSOFT INC., CISCO SYSTEMS INC.,
SOFTWARE (OEM FIRMS), FINANCIAL
INSTITUTIONS, BANDWIDTH FIRMS, (AT
LARGE) FINANCIAL INSTITUTIONS, (AT
LARGE) BANDWIDTH FIRMS,

Defendants.

On January 4, 2023, the court dismissed Plaintiffs' complaint, with leave to amend. Plaintiffs were then put on notice that "[i]f Plaintiffs fail to file an amended complaint in compliance with [the court] order, [the] action will be dismissed, with prejudice[.]" Plaintiffs were served on January 4, 2023 via first class mail. No amended complaint was timely filed.

The court has the inherent power to *sua sponte* dismiss a case for lack of prosecution. *Ash v. Cvetkov*, 739 F.2d 493, 493 (9th Cir. 1984). "[T]he district court must weigh the court's need to manage its docket, the public interest in expeditious resolution of litigation, and the risk of prejudice to the defendants against the policy favoring disposition of cases on their merits, and

1 the availability of less drastic sanctions.” *Id.* (citations omitted). Here, the court gave notice to
2 Plaintiffs that they must file their amended complaint within 30 days of service or the case will
3 be dismissed. None was filed. Accordingly, the above-captioned matter is hereby **DISMISSED**
4 with prejudice.

5 **SO ORDERED.**



6 /s/ Frances M. Tydingco-Gatewood
7 Chief Judge
8 Dated: Feb 07, 2023
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